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IT IS SO ORDERED.

Dated: January 17, 2023




C. Kathryn Preston
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:

VOLUNTEER ENERGY SERVICES, INC.,¹

Debtor.

)
) Chapter 11
)
) Case No. 22-50804
)
) Judge C. Kathryn Preston
)

**ORDER (I) REQUIRING DEBTOR TO FILE AMENDED PLAN AND
DISCLOSURE STATEMENT BY JANUARY 20, 2023, AND (II) APPROVING
NOTICE PROCEDURES REGARDING CONTINUED
DISCLOSURE STATEMENT HEARING**

On November 9, 2022, Volunteer Energy Services, Inc. (the “Debtor”), filed the *Debtor’s Motion for Entry of an Order (I) Approving (A) the Adequacy of Information in the Disclosure Statement, (B) the Form and Manner of Notice Relating to the Plan, (C) the Form of Ballots, and (D) Solicitation Materials and Procedures, (II) Approving Proposed Confirmation Schedule, and*

¹ The last four digits of the Debtor’s federal tax identification are (2693). As of the Petition Date, the Debtor’s corporate headquarters was located at 790 Windmill Drive, Pickerington, Ohio 43147.

(III) *Granting Related Relief* (Doc. 551) (the “Disclosure Statement Motion”). On November 15, 2022, the Court entered its *Order and Notice for Hearing on Disclosure Statement* (Doc. 557) (the “Initial Disclosure Statement Order”), which, among other things, set a hearing to consider approval of the adequacy of the Debtor’s disclosure statement for January 10, 2023 and required the Debtor, in its capacity as plan proponent, to serve the Initial Disclosure Statement Order on all creditors and parties in interest. On November 28, 2022, after holding an expedited hearing on the *Debtor’s Expedited Motion for Entry of an Order Clarifying the Court’s Order and Notice for Hearing on Disclosure Statement* (Doc. 560) (the “Expedited Motion”), the Court entered its *Amended Order and Notice Regarding Hearing on Disclosure Statement* (Doc. 585) (the “Amended Disclosure Statement Order”) allowing the Debtor to limit the service directed by the Court in the Initial Disclosure Statement Order as requested in the Expedited Motion. On January 10, 2023, the Court held an initial hearing on the Disclosure Statement Motion (the “Initial Hearing”), at which hearing the Court expressed certain concerns with respect to the Debtor’s disclosure statement currently of record (Doc. 630), and directed the Debtor to file an amended chapter 11 plan of liquidation and amended disclosure statement that address such concerns. To avoid undue costs to the Debtor’s estate, the Court also granted the Debtor’s oral request to apply the notice provisions of the Amended Disclosure Statement Order to any amended disclosure statement filed by the Debtor.

Accordingly, it is **ORDERED and ADJUDGED** as follows:

1. On or before January 20, 2023, the Debtor shall file an amended chapter 11 plan of liquidation and amended disclosure statement that address the issues raised by the Court at the Initial Hearing.

2. Upon the filing of an amended plan and disclosure statement in accordance with paragraph 1 of this Order, the Court will issue an order (the “Disclosure Statement Hearing Order”) scheduling a hearing (the “Disclosure Statement Hearing”) to consider approval of such disclosure statement and the Disclosure Statement Motion.

3. The Debtor’s oral request to limit notice with respect to the anticipated amended disclosure statement and the Disclosure Statement Hearing is granted as follows:

- a. Within ten days of entry of the Disclosure Statement Hearing Order, the Debtor shall serve a copy of the relevant amended chapter 11 plan and amended disclosure statement upon the United States Trustee, each Committee appointed pursuant to Bankruptcy Code section 1102, the Securities and Exchange Commission, and any party in interest who has requested in writing a copy of such documents.
- b. Within ten days of entry of the Disclosure Statement Hearing Order, the Debtor shall (i) serve a copy of the Disclosure Statement Hearing Order (or other appropriate notice as may be directed by the Court) on the Master Service List maintained by Epiq Corporate Restructuring, LLC (“Epiq”), the Securities and Exchange Commission, and creditors holding allowed claims, and (ii) cause a copy of the Disclosure Statement Hearing Order (or other appropriate notice as may be directed by the Court) to be published in the (a) *The Columbus Dispatch*; (b) *The Plain Dealer (Cleveland)*; (c) *The Blade (Toledo)*; and (d) *The Cincinnati Enquirer*.
- c. Compliance with the service and publication requirements set forth in paragraphs 3(a) and 3(b) of this order, is and shall be deemed sufficient notice of the Disclosure Statement Hearing, in accordance with the applicable provisions of the Bankruptcy Code and Federal Rules of Bankruptcy Procedure.

4. The Debtor shall cause a copy of this order to be served on the Master Service List maintained by Epiq and shall file a certificate of service confirming compliance with this requirement.

SO ORDERED.

Copies to: Default List